

## **602 KAR 20:020. Issuance of landing area designation.**

RELATES TO: KRS 183.090

STATUTORY AUTHORITY: KRS 183.024

NECESSITY, FUNCTION, AND CONFORMITY: The Transportation Cabinet has the responsibility to inspect and to determine the safety and adequacy of all airport facilities in this state. This administrative regulation establishes the procedures for the issuance of a certificate of approval for the use and operation of an airport facility and other matters related to the issuance of a Landing Area Designation.

Section 1. Definitions. (1) "Airplane" means an engine-driven, fixed-wing aircraft which is heavier than air and supported in flight by the dynamic reaction of air against its wings.

(2) "Landing area designation" means a certificate of approval of the safety and adequacy of an airport facility.

(3) "Rotorcraft" means a heavier-than-air craft that principally depends for its support in flight on lift generated by one (1) or more rotors.

Section 2. Any airport in this state which has not been issued a landing area designation pursuant to the administrative regulations of the cabinet, is unfit as an airport facility, and the airport facility shall not be used by any person for the taking off or landing of aircrafts. Nor shall the person who owns or controls an airport to which a current landing area designation has not been issued permit any person to use the facility for the landing or taking off of aircraft.

Section 3. Each airport facility in this state shall be inspected by an authorized representative of the Transportation Cabinet. All facilities classified as public use shall be annually inspected. An airport facility that meets the criteria set out in the administrative regulations of the cabinet related to airport inspection shall be issued a landing area designation by the Transportation Cabinet.

Section 4. (1) Any landing area designation issued by the cabinet shall be valid for a period ending twelve (12) months from the date of issue. The landing area designation of a restricted use facility may be renewed without a new inspection providing there are no changes detrimental to safety at the facility of which the cabinet is aware. A person who owns or controls a restricted use facility shall notify the cabinet of any change in ownership, use, operation, or facilities.

(2) The cabinet may revoke a landing area designation at any time when it is found that an airport no longer meets the standards and criteria set forth in the administrative regulations of the cabinet.

Section 5. The person who owns or controls an airport facility shall display at all times the current landing area designation in a conspicuous place at his principal office at the airport at all times. If there is no office at the facility the airport owner shall keep the landing area designation and make it available for inspection upon request.

Section 6. All airports in this state shall be classified as set forth in the administrative regulations relating to KRS 183.090 and the classification shall be stated on the landing area designation.

Section 7. The Transportation Cabinet may restrict the use of an airport to airplanes, rotorcraft or both. The cabinet may also establish other restrictions regarding the use of an airport. If the Transportation Cabinet restricts the use of an airport facility in any way, the restriction shall be noted on the landing area designation. No person shall use the airport facility for the taking off or landing of aircraft in violation of the restriction. Nor shall the person who owns or controls an airport which has

been issued a restricted landing area designation permit any person to use the facility in violation of the restriction.

Section 8. If an airport facility was issued a landing area designation which was current on July 1, 1989 and if the airport facility at its most recent inspection met the safety criteria set forth in 602 KAR 20:030, it shall continue to be issued a landing area designation with the same classification by the Transportation Cabinet as long as safety conditions at the facility remain the same or improve. However, any limiting conditions to the normal operation of aircraft shall be noted on the landing area designation. If safety conditions at the airport deteriorate, the Transportation Cabinet shall reevaluate the airport classification and the landing area designation at the "grandfathered" airport. (2 Ky.R. 229; eff. 12-10-1975; 8 Ky.R. 9; eff. 8-5-1981; 16 Ky.R. 443; 748; eff. 11-4-1989; Crt eff. 3-26-2019.)